

CLEARY GOTTLIEB STEEN & HAMILTON LLP

Sean A. O'Neal

Jane VanLare

One Liberty Plaza

New York, New York 10006

Telephone: 212-225-2000

Facsimile: 212-225-3999

*Counsel to the Debtors
and Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No.: 23-10063 (SHL)

Jointly Administered

CERTIFICATE OF PUBLICATION

I, Jane VanLare, an attorney admitted to practice before this court and an employee of the firm of Cleary Gottlieb Steen & Hamilton LLP, hereby certify that the *Notice of Bidding Procedures, Potential Auction, and Sale Hearing*, which is substantially similar to the form of notice attached as Exhibit 2 to the above-captioned debtors' filing at ECF No. 191, was published in *The New York Times* on Monday, April 10, 2023, as more fully set forth in the Proof of Publication of Larnyce Tabron (attached hereto as Exhibit A).

Dated: April 12, 2023
New York, New York

/s/ Jane VanLare
Jane VanLare

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number (as applicable), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 250 Park Avenue South, 5th Floor, New York, NY 10003.

EXHIBIT A

Proof of Publication



The New York Times
Company

PROOF OF PUBLICATION

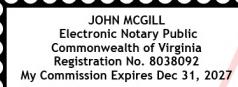
620 8th Avenue
New York, NY 10018
nytimes.com

April 10, 2023

I, Larnyce Tabron, in my capacity as a Principal Clerk of the Publisher of The New York Times, a daily newspaper of general circulation printed and published in the City, County, and State of New York, hereby certify that the advertisement annexed hereto was published in the editions of The New York Times on the following date or dates, to wit on.

4/10/2023, NY & NATL, pg B2

Larnyce Tabron



Digitally signed
by John McGill
Date: 2023.04.10
10:00:48 -04'00'

CLEARY GOTTLIEB STEEN & HAMILTON LLP, Sean A. O'Neal, Jane VanLare,
One Liberty Plaza, New York, New York 10006, Telephone: 212-225-2000,
Facsimile: 212-225-3999, Counsel to the Debtors and Debtors-in-Possession
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:
Genesis Global Holdco, LLC, et al.,¹ Chapter 11
Debtors.
Case No.: 23-10063 (SHL)
Jointly Administered

NOTICE OF BIDDING PROCEDURES, POTENTIAL AUCTION, AND SALE HEARING

PLEASE TAKE NOTICE that, on January 19, 2023 (the "Petition Date"), Genesis Global Holdco, LLC and its Affiliates Genesis Global Capital, LLC and Genesis Asia Management, LLC ("the Debtors") filed a motion for relief under the above-captioned cases (collectively, the "Debtors" and the cases, the "Chapter 11 Cases"), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Bankruptcy Code, 11 U.S.C. § 911 et seq. ("Bankruptcy Code") with the Bankruptcy Court for the Southern District of New York (the "Court").²

PLEASE TAKE FURTHER NOTICE that on March 16, 2023, the Debtors filed a motion [Docket No. 133] (the "Motion") seeking, among other things, the entry of an order approving (a) bidding procedures ("Bidding Procedures") in connection with the proposed auction ("Auction") and sale ("Sale") of the Debtors' Global Trading, Inc. business assets (the "Assets") to one or more Qualified Bidders ("Assets"); (b) the selection of a Stalking Horse Bidder and the payment of Bid Protections in certain instances as set forth in the Bidding Procedures; and (c) scheduling dates and deadlines in connection with approval of the Sale ("the Sale Schedule").

PLEASE TAKE FURTHER NOTICE that on March 31, 2023, the Bankruptcy Court entered an order [Docket No. 192] (the "Bidding Procedures Order") granting the relief sought in the Motion, including, among other things, approving the Bidding Procedures and the Sale Schedule.

Consultation Parties. On April 1, 2023, the Consulting & Bidding Agent (Barak Klein) met with the Debtors' legal counsel (Jill Jamal) at 399 Park Avenue, 4th Floor, New York, NY 10022, Attn: Jill Jamal (jill.jamal@modis.com); Barak Klein (barak.klein@moebs.com); and (ii) Counsel to the Debtors: Clancy Gottlieb, Steen & Hamilton LLP, One Liberty Plaza, New York, NY 10006, Attn: Sean A. O'Neal, Esq. (seanoneal@csh.com); Jane VanLare, Esq. (janvanlare@csh.com).

Obtaining Information. Copies of the Bidding Procedures Order, the Bidding Procedures, and any other related documents can be viewed and/or obtained by: (i) accessing the website at https://restructuring.ra.kroll.com/; or (ii) by sending an e-mail to the Debtor's notice and claims agent, Kroll Restructuring Administration LLC, located at 55 East 52nd Street, 17th Floor, New York, NY 10055 at https://restructuring.ra.kroll.com/genesis/ or by calling +1-888-524-2017. Note that a PACER password is needed to access documents on the Court's website.

The Sale Schedule. Action (Description): Deadline: • **Bidding Procedures Hearing** (The hearing before the Court to consider this Motion); March 20, 2023

• **Indications of Interest Deadline** (The deadline by which the Debtors may designate one or more Qualified Bidders as the Stalking Horse Bidder(s), if any; provided however that the Debtors may designate a Stalking Horse Bidder at any time prior to the Stalking Horse Designation Deadline; and provided further that the Debtors, in consultation with the Consultation Parties, may extend the Stalking Horse Designation Deadline provided that a notice of any such extension is filed on the docket); June 12, 2023

- **Bid Deadline** (The deadline by which all binding Bids must be actually received pursuant to the Bidding Procedures, as well as the deadline by which DCG must identify whether or not it or any of its insiders or controlled affiliates will submit a Bid or whether any newly created entity wholly-owned or directly or indirectly controlled by DCG's insiders or controlled affiliates (other than by virtue of its existing equity interest) will submit a Bid);

Auction (The date and time of the Auction, if one is needed, which will be held at the office of Cleary Gottlieb Steen & Hamilton LLP, One Liberty Plaza, 38th Floor, New York, NY 10006 and/or via Zoom); June 27, 2023

- **Deadline to file the Designation of Successful Bid** (The deadline to file a notice designating the Successful Bid and Successful Bidder, as well as the Back-up Bid and Back-up Bidder); One business day following the conclusion of the Auction

• **Sale Objection Deadline** (The deadline by which objections to the entry of an order by the Court approving the Sale must be filed with the Court and served so as to be actually received by the appropriate notice parties (the "Sale Objection Deadline")); July 7, 2023, or as otherwise determined by the Court in a motion seeking entry of an order approving the adequacy of a disclosure statement and setting forth the date for confirmation of a plan

• **Sale Hearing (subject to the Court's availability)** (The Sale will be implemented under the Plan and shall be approved at the Confirmation Hearing); July 14, 2023, or as otherwise determined in accordance with a motion seeking entry of an order approving the adequacy of a disclosure statement and setting forth the timeline for confirmation of a plan

• **Filing Objections to the Sale.** The Debtors request that the Court require that objections to the Sale (a) be in writing; (b) comply with the Bankruptcy Rules, the Local Rules and other case management rules and orders of the Court; (c) state the nature and amount of the objection and the name and nature of the claim, interest or right of the objecting party against the estate or property of the Debtors; (d) state with particularity the legal and factual basis for such objections; and, if applicable, a proposed modification to the Sale that would resolve such objection; and (e) be filed with the Court with proof of service thereof and served upon, so as to be actually received by the Sale Objection Deadline, the following parties: (i) the Office of the United States Trustee for Region 2; (ii) counsel to the Debtors, Cleary Gottlieb, Steen & Hamilton LLP, One Liberty Plaza, NY 10006 Attn: Sean O'Neal (seanoneal@csh.com) and Jane VanLare (janvanlare@csh.com); (iii) the investment banker to the Debtors, Moebs & Company LLC, 399 Park Avenue, 4th Floor, New York, New York 10022, Attn: Barak Klein; (iv) counsel to the Consistency Committee, White & Case LLP, 111 South Wacker Drive Suite 5100, Chicago, Illinois 60606, Attn: Gregory F. Pesse (gregory.pesse@whitecase.com) and 1221 Avenue of the Americas, New York, New York 10020, Attn: Philip Abelson (philip.abelson@whitecase.com).

• **Consequences of Failing to Timely File an Objection.** Any party or entity who fails to timely file an objection to the Sale on or before the Sale Objection Deadline, in accordance with the Bidding Procedures, shall be forever barred from asserting any objection to the Sale.

1. The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number (as applicable), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 230 Park Avenue South, 5th Floor, New York, NY 10003.

2. Capitalized terms used in this notice and not defined herein shall have the meanings given to them in the Bidding Procedures (as defined herein).

